

REMARKS

Claims 1, 4 and 6 are pending in the application. In the Office Action of June 16, 2003, the Examiner made the following disposition:

- A.) Rejected claims 1 and 4 under 35 U.S.C. §103(a) as being unpatentable over *Matsufuji et al.* in view of *Kato et al.* in further view of *Beauchamp* and *Iijima et al.*
- B.) Rejected claim 6 under 35 U.S.C. §103(a) as being unpatentable over *Yasunami* in view of *Watanabe et al.*, in further view of *Iijima et al.*

Applicants respectfully traverse the rejections and address the Examiner's disposition as follows:

Applicants' claims 1 and 6 have each been amended to each claim a ratio of a weight W_M of the non-carbon material in the negative electrode material to a weight W_C of the carbon material in the negative electrode material is in a range of $W_M/W_C \leq 1$.

- A.) Rejection of claims 1 and 4 under 35 U.S.C. §103(a) as being unpatentable over *Matsufuji et al.* in view of *Kato et al.* in further view of *Beauchamp* and *Iijima et al.*:

Applicants respectfully disagree with the rejection.

Applicants' independent claim 1, as amended, claims a ratio of a weight W_M of a non-carbon material in a negative electrode active material to a weight W_C of a carbon material in the negative electrode active material is in a range of $W_M/W_C \leq 1$.

This is clearly unlike *Matsufuji et al.* in view of *Kato et al.* in further view of *Beauchamp* and *Iijima et al.* None of the cited references, taken singly or in combination, discloses or suggests Applicants' claimed ratio of material weights $W_M/W_C \leq 1$. Specifically, none of the cited references teaches a ratio of a weight W_M of a non-carbon material in a negative electrode active material to a weight W_C of a carbon material in the negative electrode active material that is in the range of $W_M/W_C \leq 1$.

Therefore, *Matsufuji et al.* in view of *Kato et al.* in further view of *Beauchamp* and *Iijima et al.* fails to disclose or suggest claim 1.

Claim 4 depends directly or indirectly from claim 1 and is therefore allowable for at least the same reasons that claim 1 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claim 6 under 35 U.S.C. §103(a) as being unpatentable over *Yasunami* in view of *Watanabe et al.*, in further view of *Iijima et al.*:

Applicants respectfully disagree with the rejection.

Applicants' independent claim 6, as amended, claims a ratio of a weight W_M of a non-carbon material in a negative electrode active material to a weight W_C of a carbon material in the negative electrode active material is in a range of $W_M/W_C \leq 1$.

This is clearly unlike *Yasunami et al.* in view of *Watanabe et al.* in further view of *Iijima et al.* None of the cited references, taken singly or in combination, discloses or suggests Applicants' claimed ratio of material weights $W_M/W_C \leq 1$. Specifically, none of the cited references teaches a ratio of a weight W_M of a non-carbon material in a negative electrode active material to a weight W_C of a carbon material in the negative electrode active material that is in the range of $W_M/W_C \leq 1$.

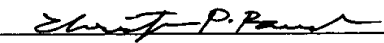
Therefore, *Yasunami et al.* in view of *Watanabe et al.* in further view of *Iijima et al.* fails to disclose or suggest claim 6.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

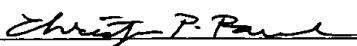
In view of the foregoing, it is submitted that claims 1, 4, and 6 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

 (Reg. No. 45,034)
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 17, 2003.

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